

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Criminal No. 05-80231
Honorable Patrick J. Duggan

D-1 MICHAEL DWAYNE ELLIOTT,

Defendant.

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, the Indictment issued April 4, 2005, charged defendant Michael Dwayne Elliott with violations of 21 U.S.C. §846 and § 841 (Conspiracy to possess with intent to distribute and to distribute a controlled substance);

WHEREAS, the Indictment contained a Money Judgment Count, which sought, upon conviction of one or more of the controlled substance violations, entry of a money judgment equal to Five Hundred Thirty-Two Thousand Four Hundred Dollars (\$532,400.00) in United States Currency funds, for which the defendants would be jointly and severally liable.

WHEREAS, on June 5, 2006, defendant Michael Elliott entered into a Rule 11 Plea Agreement and pled guilty to Count One of the Indictment, including forfeiture as set forth above;

NOW THEREFORE, a money judgment in the amount of Five Hundred Thirty-Two Thousand Four Hundred Dollars (\$532,400.00) is entered against defendant Michael Elliott, for which he is joint and severally liable with his co-defendants, Damian Ball and Catrell Tate.

Upon entry of this Order, the United States or a designee is authorized to seize any assets that could satisfy the money judgment, pursuant to Federal Rule of Criminal Procedure 32.2(b)(3).

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed.R.Crim.P. 32.2(e).

SO ORDERED.

s/Patrick J. Duggan
Patrick J. Duggan
United States District Judge

Dated: January 5, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 5, 2007, by electronic and/or ordinary mail.

s/Marilyn Orem
Case Manager